

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CARL MICHAEL JOHNSON,

Plaintiff,

-against-

17 Civ. 8620 (NSR)(LMS)

KYLE REED and OFFICER THORTON,

ORDER

Defendants.
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WHEREAS, Plaintiff Carl Michael Johnson ("Johnson") brought this action against two officers of the Middletown Police Department alleging, *inter alia*, false arrest, false imprisonment and malicious prosecution, arising out of an incident which occurred on October 10, 2016, and

WHEREAS, in an Amended/Supplemental Complaint, Plaintiff referenced certain documents in support of his claims, and

WHEREAS, on May 21, 2020, Defendants' counsel sent Plaintiff a written demand for copies of the following documents:

1. All written statements in your possession from witnesses to the subject incident on October 10, 2016. This request does not include any documents provided to you by me or any documents attached to papers which I submitted to the Court.

2. All written statements in your possession notarized or witnessed by Parole Officer Marie Tannura.

and

WHEREAS, to date, Plaintiff has failed to provide counsel with any of the requested documents.

NOW, THEREFORE, IT IS HEREBY ORDERED that Plaintiff provide copies of the above-specified documents to the Office of the Corporation Counsel, Middletown City Hall, 16 James Street, Middletown, New York 10940 within thirty (30) days of receipt of a copy of this Order, and it is further

ORDERED that failure to comply with this Order shall preclude Plaintiff from using any of the above-specified documents in support of his claims in motion practice or at trial in this matter.

Dated: White Plains, New York
~~September~~ __, 2020
August 25



HON. LISA MARGARET SMITH
United States Magistrate Judge